-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER No.590 OF 2006

Philips @ Filips Antono
@ Anthony Rodrik Appellant

Vs.

The Mun. Corpn. Gr. Bombay ... Respondents

Mr. Bipin Joshi, Advocate for the
Appellant.

Mrs. Geeta Joglekar, Advocate for
the Respondents.

CORAM : D. G. KARNIK, J.

DATE : SEPTEMBER 7, 2006.

P.C.

1. Heard the learned counsel for the appellant and the respondent. By the consent, following order is passed.

ORDER

2. Respondent is permitted to withdraw the notice dated 6-5-1987 (at page 38 and 39 of the compilation) with liberty to respondent to issue fresh notice in accordance with the law. Notice is accordingly withdrawn.

3. In view of the withdrawal of the

notice, the appellant does not press this appeal, which is disposed of as withdrawn.

4. The appellant through his counsel undertakes to withdraw the suit No. 1086 of 2003, pending in the Court of City Civil Court Bombay. The suit shall be withdrawn within a period of four weeks.

[D. G. KARNIK, J.]